

## CONSPECTUS OF INCOME TAX ACTS

Particulars.	Commonwealth.	New South Wales.	Victoria.
1. Acts in Force ..	Income Tax Assessment Act 1915 (2), 1916 (2), 1918 Income Tax Act 1915 (2), 1916, 1917, 1918, 1919, 1920	Income Tax Management Act 1912, 1914 (2), 1918 Income Tax Act 1911, 1912, 1914, 1920	Income Tax Act 1914, 1915 (2), 1920
2. Act administered by	Commissioner of Taxation, Assistant and Deputy Commissioners	Commissioner of Taxation, Deputy Commissioner	Commissioner of Taxes, Deputy Commissioners
3. Definitions ..	(a) <i>Absentee</i> means a person who does not reside in Australia or who has been absent from Australia during more than one-half of the financial year  (b) <i>Income from Personal Exertion</i> means income derived in Australia consisting of earnings, salary, wages, commission, fees, bonuses, pensions, superannuation allowances, retiring allowances not paid in a lump sum, allowances received in the capacity of an employee and the proceeds of a business  (c) <i>Income from Property</i> means all income derived in Australia not from personal exertion	(a) <i>Income from Personal Exertion</i> means income consisting of the proceeds of any business, earnings, salaries, wages, fees, bonuses, pensions, or payments made upon superannuation or retirement from employment  (b) <i>Income from Property</i> means income derived from any source in the State other than from personal exertion	(a) <i>Income from Personal Exertion</i> means all income consisting of earnings, salaries, wages, allowances, pensions, superannuation, or retiring allowances, or stipends earned in or derived from Victoria, and all income arising or accruing from any trade carried on in Victoria  (b) <i>Income from Property</i> means all income derived in or from Victoria and not derived from personal exertion. All income subject to tax derived or earned or received by or arising or accruing to a trustee or a beneficiary is deemed to be income from property
4. What is expressly included in Income	(a) Profits derived from any trade or business and converted into stock-in-trade or added to capital (b) Dividends, profits, or bonuses, paid by a company (c) Beneficial interests in income derived under any will, settlement, or deed of gift (d) Money derived from royalty, bonuses, etc., in connexion with leasehold estates (e) Five per cent. of the capital value of land and improvements on land used rent free not for gain (f) All allowances, gratuities, etc., granted to a taxpayer in respect of employment or services (g) Five per cent. of the capital amount of a retiring allowance or gratuity which is paid in a lump sum (h) A cash prize in a lottery (i) Five per cent. of the capital amount of a retiring allowance or gratuity paid in a lump sum	(a) Income derived from any source in the State, including interest upon money secured by the mortgage of any property in the State (b) Any gains or profits accruing on the sale <td>(a) Four per cent. of the actual capital value of land with improvements used for the purpose of residence or enjoyment (b) The estimated annual value of any residence, quarters, or board, and every extra salary, bonus, or allowance granted to any persons (c) Profits converted into stock-in-trade or added to capital or invested in trade (d) Profits or part of capital credited to any member of a company registered under Part II. of the Companies Act and carrying on mining operations in Victoria</td>	(a) Four per cent. of the actual capital value of land with improvements used for the purpose of residence or enjoyment (b) The estimated annual value of any residence, quarters, or board, and every extra salary, bonus, or allowance granted to any persons (c) Profits converted into stock-in-trade or added to capital or invested in trade (d) Profits or part of capital credited to any member of a company registered under Part II. of the Companies Act and carrying on mining operations in Victoria
5. Taxation of Agents for Absentees	..	In the case of an agent selling goods for an absentee or foreign company, the principal for taxation is deemed to be 5 per cent. of the price at which the goods were sold	In the case of an agent disposing of property in Victoria for a principal outside the State, the taxable amount of income is 5 per cent. of the amount for which the property has been sold

## IN FORCE IN AUSTRALIA, 1921.

Queensland.	South Australia.	Western Australia.	Tasmania.
Income Tax Act 1902 (2), 1904, 1905, 1906, 1907, 1915, 1918, 1920 (2)	Taxation Act 1915, 1917, 1919, 1920	Land and Income Tax Assessment Act 1907, 1918 Charitable Purposes Income Deductions Act 1920 Land Tax and Income Tax Act 1920 Dividend Duties Act 1902, 1906, 1915, 1918 (2), 1920	Land and Income Taxation Act 1910, 1911, 1912, 1914, 1915, 1918 Land Tax and Income Tax Act 1912, 1915, 1916, 1917, 1919
Commissioner of Income Tax, Deputy Commissioner	Commissioner of Taxes, Acting and Deputy Commissioners	Commissioner of Taxation	Commissioner of Taxes, Acting Commissioner, Deputy Commissioners
<p>(a) <i>Absentee</i> means a person who does not ordinarily reside in Australia or who is absent at the time the tax is assessed or who has been absent from Australia during more than half of the preceding twelve months</p> <p>(b) <i>Income from Personal Exertion</i> means all income arising from earnings, salaries, wages, allowances, fees, commissions, pensions, superannuation or retiring allowances or stipends earned in or derived from Queensland, and from any business carried on in Queensland</p> <p>(c) <i>Income from Property</i> means all income derived in or from Queensland not from personal exertion</p>	<p>(a) <i>Income from Personal Exertion</i> includes every kind of profit and gain, whether arising in the course of business or otherwise, excepting gifts, legacies, and bequests, and all salaries, wages, allowances, pensions, or stipends with the exception of income derived from property</p> <p>(b) <i>Income from Property</i> includes all rents, fines, and premiums payable on the granting or renewal of leases, interest, and annuities</p>	<p>(a) <i>Absentee</i> means a person who has not been resident in the Commonwealth of Australia during any part of the year next preceding the year of assessment</p> <p>(b) <i>Dependent</i> means a relative by blood, marriage, or adoption, towards whose maintenance the taxpayer has contributed £26 during the year</p> <p>(c) <i>Income</i> includes profits, gains, rents, interest, salaries, wages, allowances, pensions, stipends, charges, and annuities</p>	<p>(a) <i>Income from Business</i> means all income arising or accruing from any trade, manufacture, profession, employment, occupation, or business of any kind, whether carried on in Tasmania or elsewhere, and all income consisting of wages, salaries, allowances, fees, commissions, pensions, or stipends</p> <p>(b) <i>Income from Property</i> means any income not being income from business</p>
<p>A. From Personal Exertion—</p> <p>(a) All net gains or profits from the sale of real and personal property</p> <p>B. From Property—</p> <p>(a) Annuities paid by a person residing in Queensland or in connexion with property in Queensland</p> <p>(b) The amount of premium paid upon the grant of a lease of land</p> <p>(c) Improvements effected by a tenant, who is not reimbursed by the landlord (considered as income to the landlord)</p> <p>(d) Cash prizes in a lottery or sweep carried on in Queensland</p> <p>(e) Income received as a beneficiary from any trust estate</p> <p>(f) Five per cent. of the capital value of any land and improvements occupied as a residence</p> <p>(g) All moneys received as royalty</p>	<p>(a) Income resulting from the buying, selling, or dealing in the State of any shares, etc., in any company wheresoever situated</p> <p>(b) Rent, interest, and other profits arising out of money invested in the State or lent to any person in the State or secured upon any lands therein</p> <p>(c) Income arising from any contracts made in the State for the sale of goods</p> <p>(d) Any amount payable and the value of any property or shares taken by way of goodwill upon the sale or transfer of any business</p> <p>(e) The use of any house and all gratuities, bonuses, and premiums in respect of any employment. (The use of a house is valued according to the annual value thereof)</p> <p>(f) Five per cent. of the actual value of land with improvements used for the purpose of residence or enjoyment</p>	<p>(a) All incomes arising from any profession, trade, employment or vocation carried on in Western Australia</p> <p>(b) All incomes arising or accruing from any salary or allowance attached to any employment in the Public Service of Western Australia, and upon every pension or allowance payable from the Consolidated Revenue Fund</p> <p>(c) All incomes arising or accruing from any kind of property or from any other source in Western Australia</p> <p>(d) All gratuities, bonuses, and premiums, whether in money, goods, sustenance, or land granted in relation to any employment</p>	<p>(a) Profits derived from any business which has been converted into stock-in-trade or added to capital or invested in business</p> <p>(b) The estimated annual value of a residence occupied in connexion with one's employment without payment of rent</p> <p>(c) The estimated annual value of quarters or board and residence, and any extra salary, bonus, or allowance</p> <p>(d) The value of anything withdrawn from the saleable stock or produce of any business and applied to domestic or personal use</p> <p>(Any appreciation in the value of property and profits made by the sale of property, which is not sold in the course of carrying on business, is not included in income)</p>
In the case of a foreign company or absentee carrying on business in Queensland by an agent, the income is deemed to be 7½ per cent. of the amount for which the property has been sold	Income tax on sales in South Australia for absen-tees is assessed at 5 per cent. of the purchase money or of the actual cost of manufacture in respect of goods treated but not sold in South Australia	The tax on an agent selling goods for an absentee is 5 per cent. on the total amount received for such goods	The tax on an agent selling goods for an absentee is 5 per cent. of the amount received for goods sold

## CONSPECTUS OF INCOME TAX ACTS

Particulars.	Commonwealth.	New South Wales.	Victoria.
6. Taxation of Companies (other than Mining and Insurance Companies)	The taxable income is the total amount of income whether distributed or available for distribution to shareholders	Companies are taxed in the same manner as individual persons, but at a different rate	The taxable income is the profits earned in Victoria, and companies are taxed similarly to individuals, but at a different rate
7. Mining Companies	Except in the case of coal mines, the capital expended must be divided by the estimated number of years during which payable operations may be expected to continue, and the quotient thus obtained deducted from the income	Same as ordinary companies	The taxable income is to be the total amount of dividends declared and debenture interest paid
8. Insurance (other than Life Insurance Companies)	Same as ordinary companies	Same as ordinary companies	Same as ordinary companies, the amount of premiums may not be deducted
9. Life Insurance Companies	Same as ordinary companies, but the amount received in premiums is deducted. A reversionary bonus on a policy is not taxable	Same as ordinary companies	The taxable income is 30 per cent. of the premiums received, and for industrial life assurance business 15 per cent. of the premiums
10. Incomes exempt from Taxation	<ul style="list-style-type: none"> <li>(a) Revenue of a municipal corporation or other local authority</li> <li>(b) Income of a registered Friendly Society</li> <li>(c) Income of a registered Trade Union or Employers' or Employees' Association</li> <li>(d) Income of a religious, scientific, charitable, or public educational institution</li> <li>(e) Interest on Commonwealth War Loans, which are declared to be free from Income Tax</li> <li>(f) Income of a provident, benefit, or superannuation fund for employees</li> <li>(g) Salaries of the Governor-General and State Governors</li> <li>(h) Income from personal exertion during war of persons on active service</li> <li>(i) Salaries of consuls and British trade commissioners</li> <li>(j) War pensions</li> <li>(k) Income of societies or associations not carried on for gain</li> </ul>	<ul style="list-style-type: none"> <li>(a) Revenues of municipal corporations and local authorities</li> <li>(b) Incomes of mutual life assurance societies and companies not carrying on business for gain</li> <li>(c) Profits of Savings Banks</li> <li>(d) Incomes of registered Friendly Societies and Trade Unions</li> <li>(e) Incomes of public ecclesiastical, charitable, or educational institutions</li> <li>(f) Income from sources outside the State</li> <li>(g) Incomes of Starr Bowkett Societies</li> <li>(h) Income from Government securities</li> <li>(i) Income from shares in a company (dividends being taxed at their source)</li> </ul>	<ul style="list-style-type: none"> <li>(a) Income received by His Majesty, Railway Commissioners, public and local authorities, State Savings Bank, University, and technical schools when such income is official</li> <li>(b) Emoluments of the Governor</li> <li>(c) Income of bodies formed solely for the promotion of religion</li> <li>(d) Income of registered Friendly, Provident and Building Societies and Trade Unions, and Societies, etc., not engaged in trade for gain</li> <li>(e) Income from any insurance business licensed under the <i>Stamp Act</i></li> <li>(f) Interest accruing to a person not resident in Victoria from Victorian Government stock or municipal bonds</li> <li>(g) Pensions paid under any Commonwealth Act relating to war pensions</li> <li>(h) Interest on Government, Savings Bank, or Crédit Foncier securities</li> <li>(i) Dividends from companies</li> </ul>

## IN FORCE IN AUSTRALIA, 1921—continued.

Queensland.	South Australia.	Western Australia.	Tasmania.
(a) <i>Local Companies</i> —Tax is paid upon dividends and undistributed profits (b) <i>Foreign Companies</i> —Income is the profits on Queensland business, or taxable amount may be assessed at 7½ per cent. of sales in Queensland if a mercantile company or of capital if any other company	Income of a company is ascertained in the same way as that of an individual, but the amount accruing in South Australia is the only taxable amount, and is deemed to be income derived from property and taxable on that basis	Companies pay duty under the <i>Dividend Duties Act</i> upon dividends	(a) Companies pay income tax on all dividends and profits and on interest on borrowed money (b) The full amount of income is taxable in the case of a company having its head office in Tasmania (c) The taxable income of a foreign company is 5 per cent. of the turnover in the State of the capital; and the minimum assessment of such a company is £1,000
Profits are taken to be applied in the first place to repayment of the cost of labour and materials employed in developing the mine, and in the second place in repayment of three-fourths of the cost of machinery for raising ores and other material	No special provision . . .	(a) The cost incurred for labour and material employed in development work and for testing mines under option of purchase may be deducted (b) The sale price of a mine when sold is deemed to be the taxable income, less deduction for capital expenditure	In the case of a mining company incorporated in Tasmania, carrying on the whole of its operations outside the State, the taxable amount is one-half of all dividends
The taxable income of a foreign company is 25 per cent. of the premiums received on Queensland business, less premiums paid in reinsurance	Same as ordinary companies	Duty is levied on the amount of net premiums received exclusive of premiums paid away in re-insurance	The taxable income of a foreign company is 50 per cent. of the premiums received, less the amount paid in reinsurance
The taxable income of a foreign company is 25 per cent. of ordinary and 15 per cent. of industrial premiums received on Queensland business	The taxable income is the amount of surplus or profits actually distributable amongst South Australian policy-holders	Duty is payable only on the amount received in interest on investments	The taxable income of a foreign company is 20 per cent. of the premiums received in the State
(a) Income of the Governor so far as respects the emoluments of his office as Governor (b) Revenues of local authorities and local bodies (c) Incomes of societies and institutions not carrying on business for gain (d) Funds and incomes of registered Friendly Societies and Trade Unions (e) Incomes and revenues of religious, charitable, and educational institutions of a public character (f) War gratuities granted by the Government of the Commonwealth (g) Income from companies which have paid duty on dividends (h) Income from interest on Queensland and Commonwealth securities	(a) Incomes of municipal corporations and district councils (b) Incomes of companies and societies not carrying on business for gain to be divided among the members (c) Incomes of Friendly Societies (d) Income from interest on Government securities	(a) Revenues of municipal corporations, road boards, and public bodies (b) Incomes of life insurance companies and companies or societies not carrying on business for gain, except interest on investments (c) Dividends and profits of the Government Savings Bank and Agricultural Bank (d) Funds and incomes of registered Friendly Societies and Trade Unions (e) Incomes and revenues of public, ecclesiastical, charitable, and educational institutions (f) Salary and emoluments of the Governor (g) Income of a British pensioner, if taxable elsewhere (h) Pensions for injuries received on active service (i) Income from Government securities	(a) Incomes of companies, registered without "Limited," societies or public bodies not carrying on business or trading for gain to the members (b) Revenues of marine boards, municipal corporations, water trusts, and local authorities (c) Funds and incomes of registered Friendly Societies and Trade Unions (d) Dividends and profits of the State Savings Bank and Agricultural Bank of Tasmania (e) Police Provident Fund, Closer Settlements Fund, and any fund exempted by Statute (f) Income of the Governor (g) Income of every person arriving in Tasmania for six months after arrival (not applying to a company or person carrying on business in the State) (h) Salaries of the Agent-General and his officers (i) Commonwealth war pensions

## SECTION XX.—STATE FINANCE.

## CONSPECTUS OF INCOME TAX ACTS

Particulars.	Commonwealth.	New South Wales.	Victoria.
11. Ordinary Deductions allowed from Income	<p>(a) Losses and outgoings incurred in Australia in producing the gross income</p> <p>(b) Rates and taxes, except Federal income tax</p> <p>(c) Life insurance or fidelity guarantee premiums up to £50</p> <p>(d) Repairs to machinery and plant</p> <p>(e) Reasonable wear and tear of machinery, etc.</p> <p>(f) Food and rent for an employee</p> <p>(g) Payments to superannuation funds or registered Friendly Societies, not exceeding £50</p> <p>(h) Gifts during war to patriotic funds, contributions to Repatriation Department, and gifts exceeding £5 to charities</p> <p>(i) Five per cent. of calls paid to a company, and total amount to a mining company</p> <p>(j) Sums set aside for benefit, pensions, etc., to employees</p> <p>(k) Commission for collecting income</p> <p>(l) Interest on mortgage of residence</p> <p>(m) Annual expenditure on improvements by a lessee who has no tenant rights therein</p> <p>(n) Services of taxpayers' children (over 15 years) employed in his business</p>	<p>(a) Premiums on life insurance, or fidelity or guarantee bond up to £50</p> <p>(b) Payments into a Government superannuation fund</p> <p>(c) Losses, outgoings, and expenses incurred in New South Wales in production of income, including repairs, wear and tear, and under certain circumstances, bad debts</p> <p>(d) Annual expenditure on improvements made by a lessee who has no tenant rights therein</p> <p>(e) Expenditure on suckerizing or eradicating seedlings or prickly pear</p> <p>(f) £50 in respect of the allowances of members of the Legislative Assembly</p>	<p>(a) Losses and outgoings incurred in the production of income, Victorian taxes (except income tax), interest on borrowed money, commission on collecting income, calls in Victorian mining companies, Commonwealth land tax, and Workmen's Compensation premiums</p> <p>(b) Life insurance premiums up to £50</p> <p>(c) Calls in a reconstructed company the shares of which are of no marketable value</p> <p>(d) Calls in a company in liquidation</p> <p>(e) Payments to a guarantee or provident fund not exceeding £50</p> <p>(f) Gifts over £20 each to Victorian public institutions</p> <p>(g) Wages or sustenance of employees in any trade</p> <p>(h) Wear and tear of machinery, etc.</p> <p>(i) Interest on a mortgage of land outside Victoria</p> <p>(j) Losses where more than one trade carried on</p>
12. Deductions allowed when Land Tax is paid	No provision . . .	No provision . . .	<p>Income from live stock, wool, meat, milk, dairy produce, fruit, grain, fodder, and other crops arising from land on which the owner pays land tax is exempt, if the unimproved value does not exceed £5,000, and the maximum amount of income tax where the value of land exceeds £5,000 but not £6,000 is £5 £6,000 but not £7,000 is £7 10s. £7,000 but not £8,000 is £10 £8,000 but not £9,000 is £12 10s.</p>
13. Minimum Income on which Tax is payable, and Deductions from Gross Income	<p>(a) <i>Minimum Income</i>.—(i) Married person or person with a dependent, not a company or an absentee, £156. (ii) Unmarried person without dependent (other than a company or absentee), £100</p> <p>(b) <i>Deductions</i>.—(i) Married person or person with dependents £156, less £1 for every £3 by which income exceeds £156. (ii) Unmarried person without dependent, £100, less £1 for every £5 in excess. (iii) Absentee, no deduction. (iv) Companies, no deduction</p>	<p>(a) <i>Minimum Income</i>, £250 (b) <i>Deductions</i>, £250. No deduction for companies</p>	<p>(a) <i>Minimum Income</i>, £200 (b) <i>Deductions</i>, £150, provided the income chargeable does not exceed £500. No deduction for companies</p>

IN FORCE IN AUSTRALIA—*continued.*

Queensland.	South Australia.	Western Australia.	Tasmania.
<p>(a) Losses and outgoings incurred in Queensland in production of income          (b) Rates and taxes under any Queensland Act (except <i>Income Tax Act</i>), and Commonwealth land tax          (c) Interest on borrowed money or on mortgage on residence          (d) Commission for collecting income          (e) Imperial or Commonwealth war pensions          (f) Cash donations over £2 to a Queensland Patriotic Fund          (g) Life insurance premiums not exceeding £50          (h) Contributions to superannuation fund or registered Friendly Society, up to £50          (i) Repairs to property, etc.          (j) Depreciation of buildings, machinery, etc.          (k) Legal expenses in collecting debts, drawing up leases, etc.          (l) Travelling, to £50, and election expenses to £75 of members of Parliaments          (m) Services of children over 16 years of age, to whom no wages are paid          (n) Contributions to Queensland charitable institutions          (o) <i>Bona fide</i> wages to husband or wife          (p) Wages, salaries, and quarters of employees</p>	<p>(a) Loss upon a <i>bona fide</i> sale of a business          (b) Interest from a company liable to pay income tax          (c) Services of sons and daughters over 16 years of age employed in the taxpayer's trade or occupation          (d) Commonwealth income tax and war-time profits tax on profits arising from South Australia          (e) Losses when more than one business is carried on          (f) Losses, outgoings, and expenses incurred in the production of income.          (g) Four per cent. on the value of business premises owned by the taxpayer          (h) Services of taxpayer's children over 16 years of age employed in his trade          (i) Losses when more than one business is carried on          (j) Interest on mortgages and loans          (k) Dividends of companies subject to dividend duty, if the income of the taxpayer amounts to a sum which would be liable at a rate exceeding 1s. 3d. in the pound          (l) Payments made to trustees of charitable institutions, parks, reserves, university, public schools, libraries, art galleries, museums, or other institutions for public education, recreation, or enjoyment subsidized by the Government</p>	<p>(a) Losses, outgoings, and expenses incurred in Western Australia in the production of income          (b) Repairs of premises let to tenants          (c) Life insurance or fidelity premiums up to £50          (d) Repairs of business premises, machinery, etc.          (e) Fair wear and tear of machinery, etc.          (f) Losses and expenses incurred beyond the State, in certain cases only          (g) Four per cent. on the value of business premises owned by the taxpayer          (h) Services of taxpayer's children over 16 years of age employed in his trade          (i) Losses when more than one business is carried on          (j) Interest on mortgages and loans          (k) Dividends of companies subject to dividend duty, if the income of the taxpayer amounts to a sum which would be liable at a rate exceeding 1s. 3d. in the pound          (l) Payments made to trustees of charitable institutions, parks, reserves, university, public schools, libraries, art galleries, museums, or other institutions for public education, recreation, or enjoyment subsidized by the Government</p>	<p>(a) Losses, outgoings and expenses incurred in the production of income          (b) Interest on borrowed money for business purposes and rent charge on land          (c) Rent of land and buildings for business purposes          (d) Repairs of premises let to tenants          (e) Repairs to business premises, machinery, etc.          (f) Losses where more than one business is carried on          (g) Wear and tear of machinery, etc.          (h) Fire insurance premiums          (i) Land tax on mortgages upon land outside the State          (j) Interest from Government securities redeemable elsewhere than in Tasmania</p>
From the amount of tax payable on income derived from agricultural, dairying, or grazing pursuits, may be deducted the amount of land tax paid under any Queensland Act on land of which the taxpayer is the owner of the freehold. Grazing pursuits means the grazing of stock on freehold areas, the unimproved value whereof does not exceed in the aggregate £1,280	No provision ..	Whenever a person is assessed for income tax on profits derived from the ownership of or from the use or cultivation of any land, an abatement is allowed of so much of the amount as is paid for land tax on such land	<p>(a) When a taxpayer owns or occupies any land on which State land tax is payable, he may deduct from income 5 per cent. of the unimproved value of such land, provided that he carries on any pastoral, agricultural, or horticultural pursuit as his chief means of gaining a living          (b) Five per cent. of the unimproved value of land from which income is derived as rent may be deducted if State land tax is payable</p>
<p>(a) <i>Minimum Income</i>—          (i) Persons (not being a company or absentee), £200.          (ii) Absentees and companies, no minimum          (b) <i>Deductions</i>—(i) Persons (not a company or absentee), £200, less £1 for every full £4 by which the net income exceeds £200. (ii) Companies and absentees, no deduction</p>	<p>(a) <i>Minimum Income</i>—          (i) Unmarried males and widowers without children, £100. (ii) Other persons, £150. (iii) Absentees, no minimum. (iv) Taxpayers temporarily in the State are allowed <i>pro rata</i> exemption for the period while in South Australia. (v) Companies, no minimum          (b) <i>Deductions</i>—On same basis as minimum income</p>	<p>(a) <i>Minimum Income</i>—          (i) Married persons and persons with dependents, £156. (ii) Other persons, £100          (b) <i>Deductions</i>—No deduction allowed</p>	<p>(a) <i>Minimum Income</i>—(i) Widow, or widow with dependent or married person, £156; if returned soldier, £200. (ii) Unmarried person, £125; if returned soldier, £156          (b) <i>Deductions</i>—(i) Widower or widow with child under 16 years or married person, who is a returned soldier, £156          (ii) Unmarried, returned soldier, £100. (iii) Other persons, not less than £100 and less than £110 income, deduction £70; not less than £110 and less than £125, £80; not less than £125 and less than £150, £50; not less than £150 and less than £250, £40; not less than £250 and less than £350, £30; not less than £350 and less than £400, £20. (iv) Companies, no deduction</p>

## CONSPECTUS OF INCOME TAX ACTS

Particulars.	Commonwealth.	New South Wales.	Victoria.
14. Deductions allowed for Children, etc.	£26 for each child under 16 years of age, wholly maintained by a taxpayer, who is not an absentee, deducted from income	£50 for each child under 18 years of age, wholly maintained by the taxpayer, deducted from income	No deduction allowed
15. Deductions specifically not allowed	<ul style="list-style-type: none"> <li>(a) Cost of maintenance of the taxpayer or his family</li> <li>(b) Domestic or private expenses</li> <li>(c) Losses recoverable under a contract of insurance or indemnity</li> <li>(d) Income carried to reserve fund or capitalized</li> <li>(e) Money not exclusively expended for producing income</li> <li>(f) Rent or repairs to premises not used for producing income</li> <li>(g) Bad debts, except those actually written off</li> <li>(h) Loss not connected with production of income or capital withdrawn</li> <li>(i) Wastage or depreciation of lease or improvements on leasehold property</li> <li>(j) Interest which might have been earned</li> <li>(k) Payments by husband to wife or vice versa not made <i>bona fide</i> in the course of business</li> </ul>	<ul style="list-style-type: none"> <li>(a) Any payment of income tax</li> <li>(b) Any wastage or depreciation of a lease or in respect of any loss occasioned by the expiration of a lease</li> <li>(c) Cost of maintenance of taxpayer and his family</li> <li>(d) Domestic and private expenses</li> <li>(e) Losses recoverable under contract of insurance or indemnity</li> <li>(f) Rates and taxes other than those imposed by New South Wales Acts</li> </ul>	<ul style="list-style-type: none"> <li>(a) Repairs or alterations beyond the usual amount</li> <li>(b) Loss not connected with trade or capital withdrawn or used in the improvement of premises used for the purposes of trade</li> <li>(c) Interest which might have been earned on capital</li> <li>(d) Bad debts, except those to the Commissioner's satisfaction</li> <li>(e) Average loss beyond the actual amount after adjustment or sum recoverable by insurance</li> <li>(f) Maintenance of family or private disbursements</li> <li>(g) Disbursements not wholly expended for the purposes of trade</li> <li>(h) Rent of premises not used for trade</li> <li>(i) Income tax</li> </ul>
16. Returns	Returns must be made by— <ul style="list-style-type: none"> <li>(a) any person not an absentee, whose total income from all sources in Australia amounts to £100 and over</li> <li>(b) A company or absentee whose total income from all sources in Australia exceeds £1</li> </ul>	<ul style="list-style-type: none"> <li>(a) Every person or company receiving income must furnish a return</li> <li>(b) The Commissioner must give 30 days' notice of the place at which taxpayers must furnish returns</li> </ul>	Returns must be made annually by every taxpayer, income from personal exertion and from property being calculated separately
17. Payment of Tax	<ul style="list-style-type: none"> <li>(a) Tax is due and payable within 30 days after service by post of notice of assessment</li> <li>(b) Commissioner may extend time or permit payment in instalments</li> <li>(c) If tax not paid within prescribed time, 10 per cent. added</li> </ul>	<ul style="list-style-type: none"> <li>(a) Commissioner must post notice of assessment, with amount of tax payable, and date of payment, to each taxpayer</li> <li>(b) If tax not paid within 21 days of due date, 10 per cent. added</li> </ul>	<ul style="list-style-type: none"> <li>(a) Not less than 14 days' notice must be given of the date on which tax is payable</li> <li>(b) If tax not paid within 21 days of due date, 8 per cent. per annum is added</li> </ul>
18. Objections and Appeals	Objections may be lodged with the Commissioner and further appeal is allowed to the High Court, the Supreme Court, or State County or District Court, or any proclaimed Court. Tax must be paid pending appeal	Appeal may be made to a Court of Review, consisting of any Court, Judge, or Police Magistrate as declared by the Governor. Further appeal on questions of law may be made to the Supreme Court	Objections may be lodged with the Commissioner, whose decision is final, except as to the amount of assessment which is determined by a Judge of County Courts, if the Commissioner's decision is objected to. A special case may be stated for the Supreme Court. The right to recover tax is not suspended pending appeal

## IN FORCE IN AUSTRALIA, 1921—continued.

Queensland.	South Australia.	Western Australia.	Tasmania.
<p>£26 from income of resident whose income does not exceed £800, for (a) each child under 16 years actually dependent, (b) wife and each relative wholly maintained, (c) female relative, residing with him for purpose of caring for his child if incapacitated, without income exceeding £25 and actually dependent upon him; where income exceeds £800, allowance reduced by £1 for every £5 in excess thereof</p> <p>(a) Repairs to machinery, etc., beyond the usual amount  (b) Losses not connected with business or capital used in the improvement of business premises  (c) Bad debts, except those to the Commissioner's satisfaction  (d) Average loss beyond the amount after adjustment or sum recoverable by insurance  (e) Domestic expenses, etc.  (f) Disbursements not for the purpose of business  (g) Rent or annual value of premises not used for business purposes  (h) Income tax  (i) Wastage or depreciation of lease or in respect of any loss occasioned by the expiration of a lease  (j) Losses, except of uninsured live stock, arising through misappropriation, theft, fire, flood, cyclone, etc.</p>	<p>If the net income of the taxpayer does not exceed £550, the sum of £15 for each child under the age of 15 years wholly maintained by him is deducted from income</p> <p>(a) Maintenance of the taxpayer and his family  (b) Domestic or private expenses  (c) Loss or expense recoverable under insurance  (d) Moneys not wholly and exclusively expended for the purposes of trade  (e) Cost of supply of implements, etc., except fair wear and tear  (f) Rent or value or repairs of premises not occupied for the purposes of trade</p>	<p>£26 for each child under 16 years of age, residing with and dependent upon the taxpayer, deducted from income</p> <p>(a) Maintenance of the taxpayer and his family  (b) Domestic and private expenses  (c) Payments made by husband to wife and <i>vice versa</i>  (d) Losses recoverable by insurance  (e) Income or land tax  (f) Income earned in Western Australia carried to a reserve fund or capitalized  (g) Disbursements not wholly incurred in the production of assessable income  (h) Rent or repairs of premises not used for business purposes  (i) Investment of capital, expenditure of capital, loss of capital withdrawn from business, money used as capital or in the improvement of business premises, and interest which might have been earned  (j) Debts, except bad debts  (k) Depreciation of buildings</p>	<p>Six shillings for each child under 16 years of age residing with and dependent upon a taxpayer whose income is under £350, deducted from income tax</p> <p>(a) Maintenance of the taxpayer and his family  (b) Domestic or private expenses  (c) Losses recoverable by insurance  (d) Income or land tax  (e) Disbursements not wholly incurred in the production of income  (f) Rent or repair of premises not used for business purposes  (g) Loss of capital, money used in the improvement of business premises, and interest which might have been earned  (h) Bad debts, except those proved to the satisfaction of the Commissioner and actually written off</p>
Returns must be furnished by every absentee irrespective of the amount of his income, by every person who carries on business, and by every person whose gross income amounts to £200 and upwards	Every taxpayer must, within the prescribed time, furnish a return	Not less than 30 days' notice must be given of the time and place to which returns must be sent	Not less than 30 days' notice must be given of the time and place at which returns are to be furnished and every taxpayer must furnish returns
<p>(a) Notices of assessment must be posted to each taxpayer, and not less than 30 days' notice must be given of the day on which tax must be paid  (b) If tax not paid within 30 days of due date, 5 per cent. added, and if not within further 30 days, a further 5 per cent. is added</p>	<p>(a) Tax is payable on the 14th May in each year  (b) If tax not paid within one month, a fine of 10 per cent. is imposed and interest at 10 per cent. per annum until it is paid</p>	<p>(a) Tax must be paid within 30 days of date of notice  (b) If tax not paid within such 30 days, 10 per cent. is added</p>	<p>(a) Tax must be paid within 30 days after the day upon which the demand should be received by post  (b) If tax not paid within such period, proceedings for recovery may be taken</p>
Objections may be lodged with the Commissioner, who transmits all objections not allowed by him to a Court of Review, consisting of a Judge of a District Court. A special case may be stated for the Supreme Court. The right to recover taxes is not suspended by any objection or appeal	An appeal may be made against an assessment to the Local Court of Full Jurisdiction. A special case may be stated for the Supreme Court. The right to recover taxes is not suspended by any appeal	An appeal may be made to a Court of Review, consisting of any magistrate of a Local Court. A case may be submitted to the Supreme Court on a question of law. The right to recover taxes is not suspended by any appeal. No appeal may be heard unless one-half the tax and fines (if any) are deposited with the Commissioner	Objections may be lodged with the Commissioner, who forwards those he disallows to a Court of Review, consisting of a Judge of the Supreme Court, or a Commissioner of a Court of Requests. Further appeal may be made to the Supreme Court on a question of law. Taxes may be recovered on the assessment fixed by the Court of Review pending an appeal

## CONSPECTUS OF INCOME TAX ACTS

Particulars.	Commonwealth.	New South Wales.	Victoria.																																			
19. Remission of Tax in cases of Hardship	<p>A Board, consisting of the Commissioner, the Secretary to the Treasury and the Comptroller of Customs may remit the tax wholly or partly</p> <p>(a) When a taxpayer has become insolvent</p> <p>(b) Where a taxpayer has suffered such loss or is in such circumstances that the full tax would entail serious hardship</p> <p>(c) Where, owing to the death of the person who would have paid the tax, the dependents are in similar circumstances</p>	<p>The Commissioner may forego the whole or any part of any tax due if it appears that serious hardship would otherwise be caused to a taxpayer</p>	<p>Where it is shown to the Commissioner that a taxpayer has become insolvent or that he has suffered loss so that the exaction of the full amount of tax would entail hardship, the Commissioner may release him wholly or in part from his liability to taxation</p>																																			
20. Offences and Penalties	<p>(a) Failing to furnish returns, wilfully making a false return or answer, minimum £2, maximum £100</p> <p>(b) Failing to furnish returns, or to include assessable income, additional 10 per cent. or £1, whichever is greater</p> <p>(c) Understating amount of income with intent to defraud or wilfully avoiding taxation—minimum £50, maximum £500 and treble the amount of tax avoided</p>	<p>(a) Failing to furnish returns, maximum £100</p> <p>(b) Wilfully making a false statement, guilty of perjury, and fined not exceeding £500 and treble the amount of income tax avoided</p> <p>(c) Any other breach of the Act, maximum £20</p>	<p>Failing to furnish returns or knowingly making a false return or answer, or evading assessment by fraud, minimum £2, maximum £100 and double the amount of tax evaded</p>																																			
21. Basic Rates of Taxation on Incomes from Personal Exertion	<p>(a) <i>Incomes not exceeding £7,600</i>—The average rate per pound is <math>\frac{3}{800}</math>I, where the taxable income is £1, and increases uniformly by <math>\frac{3}{800}</math>d. with each increase of £1 of the taxable income. Average rate may be calculated from formula</p> $R = \left\{ 3 + \frac{3}{800} I \right\} \text{ pence},$ <p>where R = average rate of tax in pence and I = taxable income in £1</p> <p>(b) <i>Incomes exceeding £7,600</i>—8d. for every £1 of taxable income in excess of £7,600</p>	<table> <thead> <tr> <th style="text-align: center;">Income</th> <th style="text-align: center;">Not exceeding</th> <th style="text-align: center;">Rate per</th> </tr> <tr> <th style="text-align: center;">Ex- ceeding</th> <th style="text-align: center;">£700</th> <th style="text-align: center;">£1</th> </tr> </thead> <tbody> <tr> <td>£700</td> <td>£1,700 ..</td> <td>9d.</td> </tr> <tr> <td>£1,700</td> <td>£2,700 ..</td> <td>10d.</td> </tr> <tr> <td>£2,700</td> <td>£4,700 ..</td> <td>1s.</td> </tr> <tr> <td>£4,700</td> <td>£6,700 ..</td> <td>1s. 2d.</td> </tr> <tr> <td>£6,700</td> <td>£9,700 ..</td> <td>1s. 5d.</td> </tr> <tr> <td>£9,700</td> <td>.. ..</td> <td>1s. 9d.</td> </tr> <tr> <td></td> <td></td> <td>2s.</td> </tr> </tbody> </table>	Income	Not exceeding	Rate per	Ex- ceeding	£700	£1	£700	£1,700 ..	9d.	£1,700	£2,700 ..	10d.	£2,700	£4,700 ..	1s.	£4,700	£6,700 ..	1s. 2d.	£6,700	£9,700 ..	1s. 5d.	£9,700	.. ..	1s. 9d.			2s.	<p>(a) <i>Income not exceeding £500</i>—3d. in the £1</p> <p>(b) <i>Incomes exceeding £500</i>—Income. Rate per £1</p> <table> <tbody> <tr> <td>Up to £500</td> <td>4d.</td> </tr> <tr> <td>Over £500 up to £1,000</td> <td>5d.</td> </tr> <tr> <td>Over £1,000 up to £1,500</td> <td>6d.</td> </tr> <tr> <td>Over £1,500</td> <td>7d.</td> </tr> </tbody> </table>	Up to £500	4d.	Over £500 up to £1,000	5d.	Over £1,000 up to £1,500	6d.	Over £1,500	7d.
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## IN FORCE IN AUSTRALIA, 1921—continued.

Queensland.	South Australia.	Western Australia.	Tasmania.
If a person has become insolvent or is by reason of age, infirmity, loss or other cause so situated that the exaction of the full amount of tax would entail hardship, the Commissioner may release him wholly or in part from liability to income tax	No provision .. ..	No provision .. ..	Where a taxpayer has become bankrupt or insolvent or has suffered such loss that the exaction of the full amount of tax would entail serious hardship, the Treasurer, on the recommendation of the Commissioner, may release him wholly or partly from the payment of the tax
(a) Failing to furnish returns, maximum £100 and 10 per cent. additional tax (b) Making false returns or fraudulently avoiding taxation, maximum £100 and double the amount of tax evaded	(a) Failing to furnish returns, maximum £20 and treble the amount of tax (b) Failing to furnish a return of all payments of interest or rent when required, not exceeding £50 (c) Wilfully furnishing a false return or making a false declaration, guilty of wilful and corrupt perjury	(a) Failing to furnish a return within the prescribed time, maximum £20 (b) Wilfully making a false statement, or evading assessment or taxation, not exceeding £100 and treble the amount of tax evaded	(a) Failing to furnish a return, maximum £20 (b) Wilfully making a false statement or evading taxation or assessment, maximum £100 and treble the amount of tax evaded
(a) <i>Incomes not exceeding £4,000—</i> On the first £1 the rate is 6/1000d., and the rate increases progressively by 6/1000d. for each additional £1 of income until £4,000 is reached when the rate is 30d. in the £1 (b) <i>Incomes in excess of £4,000—</i> 30d. in the £1 on the first £4,000, and 36d. in the £1 on the balance	Income. Rate per £1 Up to £400 .. 5d. Over £400, up to £700 .. 7d. Over £700 up to £1,000 .. 9d. Over £1,000 up to £5,000 .. 1s. 2d. Over £5,000 up to £10,000 .. 1s. 7d. Over £10,000 .. 1s. 10d.	(a) <i>Incomes not exceeding £7,766—</i> The rate for £101 is 2.008d. and increases by .008d. for each additional £1 of income (b) <i>Incomes exceeding £7,766, in the £1</i> (c) <i>Incomes of married taxpayers with a dependent</i> amounting to £157 and no more, tax must not exceed 10s.	Income. Rate per £1 Under £150 .. 3d. £150, under £250 .. 4d. £250 under £350 .. 4½d. £350, under £400 .. 5d. £400, under £700 5½d. on first £400 6½d. on balance £700, under £900 5½d. on first £400 6½d. on next £200 7½d. on balance £900, under £1,000 5½d., 6½d. as before 7½d. on next £200 9½d. on balance £1,000 and under £1,500 5½d. to 7½d. as before 9½d. on next £200 11½d. on balance £1,500 and under £2,000 5½d. to 9½d. as before 11½d. on next £200 13s. 1d. on balance £2,000 and over 5½d. to 11½d., as before 1s. 1d. on next £500 1s. 3d. on balance

## SECTION XX.—STATE FINANCE.

## CONSPECTUS OF INCOME TAX ACTS

Particulars.	Commonwealth.	New South Wales.	Victoria.
22. Basic Rates of Taxation on Incomes from Property	<p>(a) <i>Incomes not exceeding £546.</i>—Average rate per £1 is <math>\frac{I}{181.058}</math> d., where R = <math>\frac{1}{3} + \frac{I}{181.058}</math> d., where R = rate of tax in pence and I = income in £1</p> <p>(b) <i>Incomes exceeding £546,</i> but not exceeding £2,000, additional tax for each £1 above £546 increases continuously in a curve of the second degree</p> <p>(c) <i>Incomes exceeding £2,000</i> but not exceeding £6,500.—Additional tax for each £1 above £2,000 increases continuously in a curve of the third degree</p> <p>(d) <i>Incomes in excess of £6,500.</i>—6d. in the £1 for each £ in excess of £6,500</p>	The same rates as for incomes from personal exertion with the addition of one-third	Double the rates for incomes from personal exertion
23. Basic Rates of Taxation on Incomes of Companies	<p>(a) <i>Undistributed Income.</i>—2s. 8d. in the £1</p> <p>(b) <i>Income distributed to Absentee Members.</i>—8d. in the £1</p>	2s. in the £1 .. .	1s. in the £1 .. .
24. Super-taxes	Twenty-five per cent., then 30 per cent. on increased rates, then 5 per cent. on such further increased rates, equal to a total of 70.625 per cent.	6d. in the £1 .. .	.. .
25. Taxation on Lottery Prizes, Absentees, etc.	<i>Lottery Prizes.</i> —Fourteen per cent. of the gross prize money	.. .	.. .

## CONSPECTUS OF LAND TAX ACTS

Particulars.	Commonwealth.	New South Wales.	Victoria.
1. Acts in Force	<p>Land Tax Assessment Act 1910, 1911, 1912, 1914, 1916 Land Tax Act 1910, 1914, 1918, 1920</p>	<p>Land and Income Tax Assessment Act 1895, 1897, 1904 Land Tax Act 1895, 1900 (2), 1902</p>	<p>Land Tax Act 1915 (2), 1916, 1918, 1920</p>
2. Definitions	<p>(a) <i>Absentee</i>, a person who does not reside in Australia, or is absent therefrom when the ownership of his land is determined or has been absent during half the year preceding that date</p> <p>(b) <i>Owner</i> includes every person who is entitled to the land for any estate of freehold in possession or is entitled to receive the rents and profits thereof, whether as beneficial owner, trustee, mortgagee in possession or otherwise</p>	<p>(a) <i>Owner</i> means any person who is—</p> <ul style="list-style-type: none"> <li>(i) entitled to land for any estate of freehold in possession; or</li> <li>(ii) entitled as aforesaid as a married woman, otherwise than through trustees; or</li> <li>(iii) a settlor, guarantor, or transferor in any settlement, etc., not made <i>bona fide</i> for valuable consideration; or</li> <li>(iv) entitled to land partly in one and partly in another of the aforesaid ways; or</li> </ul>	<p>(a) <i>Owner</i> means—</p> <ul style="list-style-type: none"> <li>(i) every person entitled to land for estate of freehold in possession; or</li> <li>(ii) every person entitled to land under conditional purchase; or</li> <li>(iii) every settlor, grantor, assignor or transferor of land in any settlement, etc., not made <i>bona fide</i> for valuable consideration; or</li> <li>(iv) every person entitled as aforesaid to land subject to any mortgage; or</li> </ul>

## IN FORCE IN AUSTRALIA, 1921—continued.

Queensland.	South Australia.	Western Australia.	Tasmania.
<p>(a) <i>Incomes up to £3,000.</i> —On the first £1 the rate is 12 4/1000d., and it increases progressively by 4/1000d. for each additional £1 of income up to £3,000</p> <p>(b) <i>Incomes from £3,001 to £4,000.</i>—The rate is 24 6/1000d. on £3,001, increasing progressively by 6/1000d. until £4,000 is reached</p> <p>(c) <i>Incomes in excess of £4,000.</i>—The rate is 30d. in the £1 on the first £4,000 and 36d. in the £1 on the balance</p>	Income. Rate per £1. Up to £400 ... 10d. Over £400 up to £700 ... 1s. Over £700 up to £1,000 ... 1s. 3d. Over £1,000 up to £5,000 ... 1s. 7d. Over £5,000 up to £10,000 ... 1s. 10d. Over £10,000 ... 2s. 3d.	Same as on incomes from personal exertion	Income. Rate per £1. Under £250 ... 8d. £250 up to £400 ... 8d. on first £250 Over £400 up to £600 ... 10d. on balance £600 and over ... 10d. on first £250 Over £250 up to £150 ... 10d. on next £150 Over £150 up to £200 ... 1s. on balance £200 and over ... 1s. on first £250 Over £250 up to £150 ... 10d. on next £150 Over £150 up to £200 ... 1s. on next £200 Over £200 ... 1s. 3d. on balance
<p>(a) <i>Ordinary Companies.</i> 1s. 3d. in the £1 where profits do not exceed 6 per cent., increasing by 1d. for each 1 per cent. increase in profits to a maximum of 3s. where profits exceed 19 per cent.</p> <p>(b) <i>Public Utility and Monopoly Companies.</i>—Same, but rate increases by 3d. up to maximum of 4s., when profits exceed 16 per cent.</p> <p>(c) <i>Mutual Life Assurance Companies.</i>—1s. 6d. in the £1</p> <p>(d) <i>Foreign companies.</i>—24d. in the £</p>	<p>(a) <i>Ordinary Companies.</i> —Same rates as on incomes derived from property</p> <p>(b) <i>Life Insurance Companies.</i>—Half the rates as on incomes derived from property</p>	<p>(a) <i>Ordinary Companies.</i> —1s. 3d. in the £1</p> <p>(b) <i>Insurance (except Life Insurance) Companies.</i>—£2 for every £100</p>	1s. 3d. in the £1
Twenty per cent., except for mutual life assurance companies and persons (not company or absentee) with incomes not exceeding £200	Twenty-five per cent. ...	Fifteen per cent., except on incomes not exceeding £26.4, without deductions for insurance premiums, business premises, children, or rates and taxes	<p>(a) <i>Persons with Incomes of £200 and over.</i>—One-tenth additional</p> <p>(b) <i>Companies.</i>—One-fifth additional</p>
<i>Absentees.</i> —Tax on income from personal exertion is levied on the same scale as on income from property	..	<p>(a) <i>Absentee.</i>—Fifty per cent. additional</p> <p>(b) <i>Stakes Won in a Horse Race</i>—4d. in the £1</p>	<i>Lottery Prizes.</i> —2s. in the £1

## IN FORCE IN AUSTRALIA, 1921.

Queensland.	South Australia.	Western Australia.	Tasmania.
Land Tax Act 1915, 1918, 1920	Taxation Act 1915, 1917, 1918	Land and Income Tax Assessment Act 1907, 1917, 1918 Land and Income Tax Act 1920	Land and Income Tax Act 1910, 1911 Land Tax and Income Tax Act 1912
<p>(a) <i>Absentee</i>, a person who ordinarily does not reside in Australia, or is absent therefrom where the ownership of his land is determined or has been absent during more than half of the year immediately preceding that date</p> <p>(b) <i>Owner</i> includes every person who jointly or severally, is—</p> <p>(i) entitled to land for any estate of freehold in possession; or</p>	<p>(a) <i>Absentee</i>, includes every person who has been absent from or resident out of the State for at least twelve months immediately prior to the date as of which any assessment is made</p> <p>(b) <i>Owner</i> includes any party (not being a mortgagee) legally or equitably seized of, or possessed of, or entitled to or to purchase or acquire the estate or interest referred to</p>	<p>(a) <i>Owner</i> includes every person who is, jointly or severally, whether at law or in equity—</p> <p>(i) entitled to land for any estate of freehold in possession; or</p> <p>(ii) entitled to land for any leasehold estate under the <i>Land Act</i>; or</p> <p>(iii) entitled to land as a married woman, except through trustees; or</p> <p>(iv) a settlor, grantor, assignor or transferee in any settlement, etc., not made <i>bona fide</i>; or</p>	

## CONSPECTUS OF LAND TAX ACTS

Particulars.	Commonwealth.	New South Wales.	Victoria.
2. Definitions—continued.	(c) <i>Unimproved value</i> , the capital sum which the fee-simple of the land might be expected to realize, if offered for sale on reasonable terms assuming that improvements had not been made	(v) entitled to receive rents and profits as a beneficiary owner, trustee, mortgaged in possession or otherwise (h) <i>Unimproved value</i> , the capital sum for which the fee-simple would sell under reasonable conditions, assuming that improvements had not been made	(v) every person so entitled partly in one and partly in another of the foregoing ways (b) <i>Unimproved Value</i> means the sum which the owner's estate or interest, if unencumbered, might be expected to realize if offered on reasonable terms, assuming that improvements had not been made. That of land under Crown lease or license is the same after deducting the amount of purchase money which is not due
3. Administration of Act	The Act is administered by a Commissioner of Land Tax, subject to the control of the Minister	The Act is administered by three Commissioners	The Commissioner of Taxes under the Income Tax Act is also the Commissioner for Land Tax, unless the Governor appoints some other person
4. Liability for Taxation	Every owner of land is liable for taxation on the unimproved value thereof, after deducting the sum of £5,000, excepting that no deduction is allowed in the case of an owner, who is an absentee	Land tax must be paid on the unimproved value of land, after deducting £240, except in municipalities and shires, the councils of which levy a general rate on the unimproved capital value of all rateable property. The amount of income tax leviable upon any interest on a mortgage may also be deducted	Every owner of land, the value of which exceeds £250, must pay land tax based on the unimproved value. Where the value exceeds £250, a deduction of £250 is allowed, diminishing by £1 for every £1 of value in excess thereof, so that when the value is £500 or over, no deduction is allowed
5. Lands exempted from Taxation	(a) Land owned by a State or municipal, local, or other public authority (b) Land owned by a State Savings Bank (c) Land owned by a registered Friendly Society or Trade Union (d) Land owned by a registered Building Society, unless obtained by foreclosure of a mortgage (e) Land owned by or in trust for a charitable or educational institution, if not carried on for profit (f) Land owned by or in trust for a religious society, for superannuation purposes, or for religious or educational purposes (g) Land used as a site for (i) a place of worship or residence for clergy or a religious order or society; (ii) a charitable or educational institution not carried on for profit; (iii) a building owned and occupied by a club or society not carried on for profit; (iv) a public library, institute or museum; (v) a show ground; (vi) a public cemetery or burial ground; (vii) a public garden, recreation ground, or reserve; (viii) a public road; (ix) a fire brigade station	(a) Crown lands not subject to right of purchase and lands held by conditional or special lease or homestead selections (b) Land vested in His Majesty (c) Land vested in the Railway Commissioners (d) Public roads, reserves, and parks, cemeteries, and commons (e) Land used for pounds, public hospitals, benevolent institutions, public charitable purposes, churches, chapels, universities, and affiliated colleges, Sydney Grammar School, mechanics' institutes, schools of arts, markets, town halls, and lands vested in a municipality, public hospital, university or affiliated colleges (f) Land vested in trustees for zoological, agricultural, pastoral, or horticultural show purposes, or other public or scientific purposes (g) Land used for the site of residence of a minister ministering at some place of public worship (h) Land used for a school attached to or connected with any place of public worship	(a) Land the property of His Majesty which is unoccupied or used for public purposes (b) Land used exclusively for (i) commons; (ii) mines; (iii) public worship; (iv) mechanics' institutes or art galleries; (v) public libraries; (vi) cemeteries; (vii) agricultural show grounds; (viii) public gardens, domains, or other reserves; (ix) free primary schools; (x) charitable purposes; (xi) the purposes of any club for cricket, football, golf, bowling, tennis, or other athletic recreation, if the revenue is not applied by way of profit to individual members; (xii) public technical and working men's schools and colleges affiliated with the University of Melbourne; (xiii) the University of Melbourne

## IN FORCE IN AUSTRALIA, 1921—continued.

Queensland.	South Australia.	Western Australia.	Tasmania.
(ii) entitled to receive rents and profits, as beneficial owner, trustee, mortgagee in possession or otherwise (c) <i>Unimproved Value</i> , the capital sum which the fee-simple might be expected to realize if offered for sale on reasonable terms, assuming that improvements had not been made	(c) <i>Unimproved Value</i> , the capital amount for which the fee-simple might be expected to sell, if free from encumbrances, assuming that the actual improvements had not been made	(iv) a settlor, grantor, assignor or transferee of land in any settlement, etc., not made <i>bona fide</i> ; or (v) entitled to land partly in one and partly in another way; or (vi) entitled to receive rents and profits as beneficial owner, trustee, mortgagee in possession or otherwise (b) <i>Unimproved Value</i> — (i) Land in fee-simple, the capital sum for which the fee-simple would sell under reasonable conditions without improvements (ii) Conditional purchase, the same assuming that the taxpayer was owner of the fee-simple (iii) Leasehold, twenty times the amount of annual rent	(v) entitled to land partly in one and partly in another way; or (vi) in possession or occupation of land held under any authority from the Governor of New South Wales or Lieutenant-Governor of Tasmania; or (vii) the holder of Crown land purchased on credit; or (viii) entitled to receive rents and profits as beneficial owner, trustee, mortgagee in possession or otherwise; or (ix) in possession of land under lease for not less than ten years (b) <i>Unimproved Value</i> , that ascertainable under the <i>Land Valuation Act</i>
The Act is administered by a Commissioner of Land Tax	The taxes are under the control, direction and management of the Commissioner of Taxes	The provisions of the Act are carried out by the Commissioner of Taxation	The collection and recovery of taxes is under the control, direction and management of the Commissioner of Taxes
Land Tax is leviable on the unimproved value of all lands. A taxpayer, not being a company or absentee, may deduct £300. In ascertaining the taxable value of undeveloped land, the amount of exemption must bear the same proportion to £300 as the total value of all the undeveloped land bears to that of all the land held by the same taxpayer	Land tax is imposed upon the unimproved value of all land, including land of the Crown while subject to any agreement for sale or right of purchase, as well as perpetual leases	Every owner of land, the unimproved value of which does not exceed £50, is liable for land tax on such value. Every owner of improved land is entitled to a rebate of one half of the tax on the unimproved value. Improved lands outside a municipality used for agricultural, horticultural, pastoral or grazing purposes are assessed after deducting £250	Every person whose name appears in any district valuation roll under the provisions of the <i>Land Valuation Act</i> is liable to be taxed on the unimproved value of his land
(a) Land owned by the Commonwealth, the State or a local or other public authority (b) Land owned by or in trust for a registered Friendly Society (c) Land owned by or in trust for a Trade Union not used for pecuniary profit (d) Land owned by or in trust for a registered Building Society, not obtained by foreclosure of a mortgage (e) Land owned by or in trust for a charitable or educational institution, if not carried on for profit (f) Land owned by or in trust for a religious society used for superannuation, religious, charitable, or educational purposes (g) Land used as a site for (i) a place of worship or place of residence of a minister or religious order; (ii) a charitable or educational institution not carried on for profit; (iii) a building owned and occupied by a society, club, or association not carried on for profit; (iv) a public library, institute or museum; (v) a show ground; (vi) a public cemetery; (vii) a public garden, recreation ground, or reserve; (viii) a public road; (ix) a fire brigade station	(a) Crown land which, for the time being, is not subject to any agreement for sale or right of purchase (b) Park lands, public roads, public cemeteries, and other public reserves (c) Land used solely for religious or charitable purposes or used by any institute under the provisions of the <i>Public Library, Museum, and Art Gallery and Institutes Act</i> (d) Land exempted by special legislation from taxation	(a) Lands owned by or on behalf of His Majesty (b) Lands held under contract for conditional purchase for five years from date of contract, but this does not apply to a taxpayer holding less than 1,000 acres of cultivable or 2,500 acres of grazing land (c) Public roads, reserves, and parks, university endowments, cemeteries, and commons (d) Lands used for a public hospital, a benevolent institution, a public charitable purpose, a church, a chapel, a site of a ministering clergyman, a school connected with a place of public worship, a mechanics' institute, or a school of arts; land belonging to and occupied by a religious body; lands on which are erected a State or municipal market, town hall, or municipal council chamber; land owned by or vested in a municipal corporation, road board, or other statutory body (e) Lands held as mining tenements under the <i>Mining Act</i> (f) Lands used for zoological, agricultural, pastoral, or horticultural show purposes or other public or scientific purposes	(a) Crown lands which for the time being, are not subject to lease, agreement for sale or right of purchase (b) Land the property of and occupied by or on behalf of His Majesty (c) Land held under lease or licence granted under any Act except the <i>Closer Settlement Act</i> (d) Public roads, public cemeteries not the property of a company, and public recreation grounds and reserves (e) Land on which is built any hospital, benevolent asylum, or building used solely for charitable or religious purposes (f) Land vested in trust for public purposes (g) Land on which is built any public library or museum (h) Land the property of a registered Friendly Society (i) Land owned by a local authority or other local governing or statutory public body (j) Land used exclusively for holding public exhibitions not for the purpose of gain (k) Crown land situate beyond the limits of any town subject to a contract to purchase on credit until seven years from the date of contract have elapsed

## SECTION XX.—STATE FINANCE.

## CONSPECTUS OF LAND TAX ACTS

Particulars.	Commonwealth.	New South Wales.	Victoria.
6. Returns	Every taxpayer must annually furnish returns of the improved and unimproved values of every parcel of land owned by him. Where he has furnished full returns in any one year, he may in the two succeeding years furnish supplementary returns	The Commissioners must give 30 days' notice of the time and place at which all taxpayers must furnish returns. Should a taxpayer fail to do so, the Commissioner may appoint some person to make a return on his behalf	Returns must be furnished by every land-owner, and no person is released from his liability to make returns by reason that he is, in consequence of exemptions or deductions, not liable to pay tax. The Commissioner may also cause valuations of land to be made
7. Payment of Tax..	One month's notice must be given of the date upon which land tax is payable. If the amount due is not paid within 30 days after due date, 10 per cent. is added to the amount of tax	The Commissioners must post notice of assessment to each taxpayer. Tax must be paid within 60 days of date of notice, otherwise 10 per cent. is added. When tax is in arrears for two years, the Commissioners may advertise that if it is not paid within one year they will let the land for not exceeding three years or apply to the Supreme Court for a sale thereof	Not less than 14 days' notice must be given of the date on which land tax is payable. If the tax is not paid at the expiration of 14 days after the due date thereof, 8 per cent. is added thereto.
8. Acquisition of Land, when Value is understated	If the Commissioner is of opinion that the owner has understated the unimproved value to the extent of 25 per cent. or more, he may apply to the Supreme Court, which may make a declaration that the land be vested in the Commonwealth. The owner is compensated by adding the value of improvements to the unimproved value stated in his return plus 10 per cent. Such acquired land must be offered for three months to the State in which it is situate	No provision .. ..	No provision .. ..
9. Appeals	Any taxpayer or person may appeal to the High Court in its original jurisdiction or to the Supreme Court or a County Court or a District Court or a State or such other Court as is proclaimed. Land tax may be levied as if no appeal were pending	A taxpayer may, within 30 days after notice of assessment, appeal to a Court of Review consisting of the Land Appeal Court or a Police Magistrate. On a question of law, further appeal may be made to the Supreme Court	Objections to assessment must be lodged with the Commissioner, and those not allowed by him are heard and determined by an Assessment Court consisting of a Judge of County Courts or a Police Magistrate and two persons having a knowledge of the value of land and of improvement values. An appeal to the Supreme Court on questions of law is allowed

IN FORCE IN AUSTRALIA, 1921—*continued.*

Queensland.	South Australia.	Western Australia.	Tasmania.
Every owner of land of the unimproved value of £200 and upwards must furnish returns shewing the unimproved and improved value of each parcel, also the value of improvements. A taxpayer who has furnished full returns in any year may in future furnish supplementary returns. If a taxpayer fails to furnish a return within the prescribed time, 5 per cent. is added to the tax, and if not furnished within 60 days 10 per cent.	Every taxpayer must, within the prescribed time, furnish a return containing such particulars as will enable the Commissioner to estimate the amount of tax to be paid by him. The Commissioner must also make an assessment of all land liable to land tax every fifth year	The Commissioner must give not less than 30 days' notice of the time and place at which all taxpayers must furnish returns. Every taxpayer must furnish a return, otherwise the Commissioner may appoint a person to do so on his behalf	The Commissioner may require any taxpayer to furnish any information in writing or by verbal communication
Not less than 30 days' notice must be given of the date on which land tax is payable. If a taxpayer fails to pay his tax within 30 days after it has become due, 10 per cent. is added thereto	Land Tax must be paid by the 14th February in each year. If any taxes are in arrear for 21 days after particular notice to the taxpayer, the Commissioner may without warrant distrain upon the goods and chattels of the taxpayer. If any tax is not paid before the end of one month after it falls due, 10 per cent. is added and interest at 10 per cent. per annum. When a tax is in arrear for two years the Commissioner may advertise that if not paid within one year, he will let the land from year to year or apply to the Supreme Court for a sale	The Commissioner must give each taxpayer a notice of assessment with the amount of tax and date when payment is due. If the tax is not paid within 30 days after it is due, 10 per cent. is added thereto. Whenever any tax is unpaid for two years, the Commissioner may advertise that if not paid within one year, he will let the land for not exceeding three years or apply to the Supreme Court for the sale thereof	The Commissioner must forward a demand by post, setting forth the amount due and the place where payment is to be made. If the tax is not paid within 30 days after demand, proceedings may be taken for the recovery thereof. Whenever land tax is in arrear for six months, the Commissioner may advertise that if it be not paid within six months he will let the land from year to year, or after two years apply to the Supreme Court for a sale thereof
If the Commissioner is of opinion that the owner has understated the unimproved value of his land to the extent of 25 per cent. or more, he may apply to the Supreme Court for a declaration that the State is entitled to the land. If the Court vests such land in the Crown, the owner is compensated upon the basis of the unimproved value stated in his return with the value of the improvements, plus 10 per cent. An appeal lies to the Full Court	No provision . . .	No provision . . .	No provision
Any taxpayer or person may appeal to the Land Court against any assessment made by the Commissioner, but land tax may be levied and recovered on the assessment as if no appeal were pending. Further appeal allowed to the Land Appeal Court	A taxpayer may appeal within two months after the notice of assessment. Appeals are heard and determined by a special Local Court of Full Jurisdiction consisting of a Special Magistrate and two Justices skilled in the valuation of land and property. A special case may be stated for the opinion of the Supreme Court	A taxpayer may, within 30 days after the notice of assessment, appeal to the Court of Review, consisting of any magistrate of a Local Court, provided that one half of the tax and of any fines are deposited with the Commissioner. A further appeal on a question of law may be made to the Supreme Court	Objections are to be sent to the Commissioner, who, in the event of his disallowing them, transmits them to the Court of Review consisting of any Judge of the Supreme Court or of any Commissioner of a Court of Requests. An appeal may be made on a point of law to the Supreme Court

## CONSPECTUS OF LAND TAX ACTS

Particulars.	Commonwealth.	New South Wales.	Victoria.
10. Remission of Tax in cases of Hardship	Where a taxpayer has become bankrupt or insolvent or has suffered such loss that the exaction of the full amount of tax would entail serious hardship, or that, by reason of drought or adverse seasons the returns from the land have been seriously impaired, a Board consisting of the Commissioner, the Secretary to the Treasury, and of the Comptroller-General of Customs may release him wholly or in part from his liability	No provision .. ..	Where it is shewn to the satisfaction of the Commissioner that a taxpayer has suffered such loss from bush fires, drought, floods, or other calamity that the exaction of the full amount of tax would entail serious hardship, he may release such taxpayer wholly or partly from his liability or may postpone the payment of the tax
11. Offences and Penalties	(a) Failing to furnish a return, refusing or neglecting to give evidence or to answer questions, wilfully making false returns or false answers, not exceeding £100 (b) Understating the unimproved value with intent to defraud or evading taxation, not exceeding £300 and treble the amount of tax evaded, or forfeiture of the land undervalued or part thereof	(a) Failing to furnish a return, not exceeding £20 (b) Knowingly making a false return or answer or evading assessment or taxation, not exceeding £100 and treble the amount of tax evaded	(a) Refusing or neglecting to give evidence when required or to answer questions or to furnish return, not less than £2 nor more than £100 (b) Knowingly making a false return or answer or evading full assessment or taxation or the payment of tax, not less than £2 nor more than £100 and treble the amount of tax evaded
12. Ordinary Rates of Taxation	(a) <i>When the owner is not an Absentee.</i> — (i) Not exceeding £75,000. The rate is 1 1/18,750d. per £1; where the taxable value is £1, and increases uniformly by 1/18,750d. for each £1 in excess. The formula is: where R is the rate of tax in pence and V the taxable value in pounds $R = \left\{ 1 + \frac{V}{18,750} \right\} \text{ pence}$ (ii) Exceeding £75,000. For each £1 of taxable value exceeding £75,000, the rate is 9d. (b) <i>When the owner is an Absentee.</i> — (i) Not exceeding £5,000, the rate is 1d. per £1. (ii) Exceeding £5,000 but not £80,000, for so much exceeding £5,000 the rate per £1 is 2 1/18,750d. for an excess of £1, increasing uniformly by 1/18,750d. for each additional £1 (iii) Exceeding £80,000, for each £1 in excess the rate is 10d.	One penny in the £1 of the unimproved value	Where the unimproved value exceeds £250, the rate is one half-penny in every £1 thereof, with a minimum tax of 2s. 6d.
13. Super-taxes ..	20 per cent. additional ..	..	..

IN FORCE IN AUSTRALIA, 1921—*continued.*

Queensland.	South Australia.	Western Australia.	Tasmania.
In any case where a taxpayer has become insolvent or has suffered such loss that the exaction of the full amount of tax would entail serious hardship, or that, by reason of drought or adverse seasons or other adverse conditions the returns from the land have been seriously impaired, the Commissioner may release such taxpayer wholly or partly from his liability	No provision .. ..	No provision .. ..	No provision
(a) Failing to furnish a return or refusing or neglecting to attend and give evidence when required or wilfully making a false return or answer, not exceeding £100 (b) Understating, with intent to defraud, the unimproved value, or wilfully evading taxation, not exceeding £500 and treble the amount of tax evaded, or forfeiture of the land under-valued or part thereof	(a) Failing to furnish a return, not exceeding £20 and treble the amount of tax payable (b) Wilfully furnishing a false return or declaration, punishable as for wilful and corrupt perjury	(a) Failing to furnish a return within the prescribed time, not exceeding £20 (b) Wilfully making a false statement for the purpose of evading assessment or taxation, not exceeding £100 and treble the amount of tax evaded	(a) Failing to furnish a return within the prescribed time, not exceeding £20 (b) Wilfully making a false statement or answer or fraudulently evading taxation, not exceeding £100, and treble the amount of tax evaded (c) Making a false declaration, imprisonment not exceeding three years or fine not exceeding £100
(a) <i>Ordinary Rate</i> —Where the taxable value is— Less than £500 .. Rate per £1 £500 and less than £1,000 .. 1d. £1,000 and less than £2,000 .. 1½d. £2,000 and less than £2,500 .. 1d. £2,500 and less than £3,000 .. 2d. £3,000 and less than £4,000 .. 2½d. £4,000 and less than £5,000 .. 2d. £5,000 and less than £10,000 .. 3d. £10,000 and less than £20,000 .. 3½d. £20,000 and less than £30,000 .. 4d. £30,000 and less than £50,000 .. 4½d. £50,000 and less than £60,000 .. 5d. £60,000 and less than £75,000 .. 5½d. £75,000 and over .. 6d. (b) <i>Agricultural Land</i> of less value than £750— Where taxable value is— Less than £500 .. 1d. £500 or less than £750 .. 1d. (c) <i>Undeveloped Land</i> —Additional 2d. in the £1 and no deductions allowed	(a) <i>Land Tax</i> —One half-penny in the £1 on the unimproved value. (b) <i>Additional Land Tax</i> —One half-penny in the £1 in addition for all land the unimproved value of which exceeds £5,000 (c) <i>Absentee Land Tax</i> —20 per cent. is added to the amount of land tax and additional land tax	(a) <i>Land Tax</i> —One penny in the £1 on the unimproved value (b) <i>Pastoral Leases</i> —One penny for every £1 of a sum equal to twenty times the amount of annual rent reserved by the lease (c) <i>Absentees</i> , 50 per cent. additional	Value of Land. Rate per £1 Up to £2,500 .. 1d. £2,501 and up to £5,000 .. 1½d. £5,001 and up to £15,000 .. 2d. £15,001 and up to £20,000 .. 2½d. £20,001 and up to £50,000 .. 3d. £50,001 and up to £80,000 .. 3½d. Over £80,000 .. 4d.
Taxable Value. Rate per £1 £2,500 and less than £3,000 .. 1d. £3,000 and less than £4,000 .. 1½d. £4,000 and over .. 2d.	..	15 per cent. additional	..

## CONSPECTUS OF PROBATE AND SUCCESSION

Particulars.	Commonwealth.	New South Wales.	Victoria.
1. Acts in force	Estate Duty Assessment Act 1914, 1916 Estate Duty Act 1914	Stamp Duties Act 1920 Stamp Duties (Deductions) Act 1904 Companies (Death Duties) Act 1901	Administration and Probate Act 1915
2. Administration of Act	The Commissioner of Taxation has general administration, subject to the control of the Minister	The Commissioner of Stamps is charged with the levying and collection of duties	The Commissioner of Taxes appointed under the <i>Income Tax Act</i>
3. Property of a deceased person which is liable for Duty	(a) His real property in Australia (b) His personal property, wherever situate, if he was at the time of his death domiciled in Australia (c) His personal property in Australia, including all debts, money and choses in action receivable or recoverable in Australia, if he had at the time of his death a foreign domicile (d) Property which passed from him by any gift <i>inter vivos</i> or settlement made within one year before his decease, if being property comprised in a settlement under which he was tenant for life, the life interest of which was surrendered by him to the remainderman within one year before his decease (e) Property in which he had a beneficial interest and which passed after his decease to any other person	(a) All his property in New South Wales (b) All property which he has disposed of by will or settlement (c) Any property comprised in a gift made within three years before his death without full consideration (d) Any property passing under any disposition— (i) by which an interest is reserved for his life; or (ii) which is accompanied by a reservation of any benefit for him for his life; or (iii) by which he has reserved the right to restore to himself the property (e) Any property comprised in a gift of which <i>bona fide</i> possession has not been immediately assumed and retained (f) Any property comprised in a <i>donatio mortis causa</i> (g) Any property which he has vested jointly so that the beneficial interest passes by survivorship to any person (h) Any property in which he had an interest limited to cease at his death unless such disposition was made <i>bona fide</i> or within three years before his decease (i) Any money payable under an insurance policy (j) An annuity to the extent of the beneficial interest arising by survivorship of another person (k) Any property over which he had a general power of appointment (l) Any property which he has within three years before his death transferred in consideration of shares or other interest	(a) The real and personal property of which his estate consisted at his death (b) Property conveyed by gift, assignment, etc., which purports to operate as an immediate gift <i>inter vivos</i> — (i) if made within twelve months preceding his death; or (ii) if relating to property of which <i>bona fide</i> possession has not been assumed and retained (c) All property which he has voluntarily transferred to or vested in himself and another person jointly so that a beneficial interest therein passes by survivorship to such other person (d) All property over which he had a general power of appointment (e) Any property conveyed or given with intent to evade the Act, and all property the subject matter of a <i>donatio mortis causa</i>
4. Exemptions from Duty	(a) Estates under £1,000 in value (b) So much of an estate as is devised or bequeathed or passes by gift <i>inter vivos</i> or by settlement for religious, scientific, charitable or public educational purposes	The estate of a deceased person, who at the time of his death was domiciled in New South Wales, the final balance of which does not exceed £1,000, but this does not apply to property separately assessed	(a) Estates and settlements which do not exceed £200 in value (b) The share of the widow and children and grandchildren when the amount does not exceed £500, both in the case of estates and settlements (c) Public charitable bequests and settlements

## DUTIES ACTS IN FORCE IN AUSTRALIA, 1921.

Queensland.	South Australia.	Western Australia.	Tasmania.
Succession and Probate Duties Act 1892, 1895, 1904, 1906, 1915, 1918, 1920	Succession Duties Act 1893, 1915, 1917, 1919	Administration Act 1903, 1909	Deceased Persons' Estates Duties Act 1915, 1916, 1917
The Attorney-General is charged with the administration. The duties are under the care and management of the Commissioner of Stamps	The Act is administered by the Registrar of Probates	The Commissioner of Stamps administers the portion of the Act relating to duties on deceased persons' estates and succession duties	The Act is administered by the Commissioner of Taxes
<p>(a) His real property, including all freehold, leasehold and other hereditaments in Queensland</p> <p>(b) His personal property, including all moneys payable</p> <p>(c) Any beneficial interest in a property vested in joint tenants</p> <p>(d) The accretion of interest in a fund to which there is joint contribution with survivorship</p> <p>(e) The accretion of interest in a property which is purchased jointly with remainder to the survivor in fee-simple</p> <p>(f) Property disposed of under general powers of appointment</p> <p>(g) The increase of benefit accruing to any person upon the extinction or determination of any charge determinable by his death</p> <p>(h) Dispositions accompanied by the reservation of a benefit to the grantor, etc.</p> <p>(i) Dispositions made to take effect at periods depending on death, or for the purpose of evading duty</p> <p>(j) Dispositions of property made less than two years before death and purporting to operate as an immediate gift</p>	<p>(a) His real property in the State, including that over which he had a general power of appointment</p> <p>(b) His personal property, wherever situate, including that over which he had a general power of appointment, if he was at the time of his death domiciled in the State.</p> <p>(c) His personal property in the State, if he had at the time of his death a foreign domicile</p> <p>(d) Property disposed of by way of <i>donatio mortis causa</i></p> <p>(e) Property comprised in settlements</p> <p>(f) Property under a deed of gift, if he dies within twelve months after the date of such gift</p> <p>(g) The net present value of the increase of benefit accruing to any person by the extinction or determination of any charge, encumbrance, etc.</p> <p>(h) The beneficial interest in any property vested in any persons jointly, which accrues to the other person by survivorship</p> <p>(i) The net present value of an annuity purchased by the deceased</p>	<p>(a) The final balance of his real and personal estate</p> <p>(b) The net value of all property the subject-matter of a gift by way of a <i>donatio mortis causa</i></p> <p>(c) Property, including real and personal property over which he had a general power of appointment, comprised in a settlement or deed of gift in so far as it comprises—</p> <ul style="list-style-type: none"> <li>(i) his real property in the State;</li> <li>(ii) his personal property wherever the same is, if he was at the time of the settlement or gift domiciled in the State;</li> <li>(iii) his personal property in the State, if he had not at the time of settlement or gift a domicile within the State</li> </ul> <p>(d) Property conveyed in order to evade duty. This is deemed to be a deed of gift, and any property thereunder is liable to duty as if the donor had died within six months from the date thereof and double duty is payable thereon</p> <p>(e) Property given or accruing to any person under a deed of gift within six months of his death, except in cases of death by accident</p>	<p>(a) His real estate in the State</p> <p>(b) His personal estate, wherever situate, if he was, at the time of his death, domiciled in the State</p> <p>(c) His personal estate in the State, if he was, at the time of his death, domiciled elsewhere</p> <p>(d) Estate over which he had a general power of appointment included in (a), (b) and (c)</p> <p>(e) Property disposed of by way of <i>donatio mortis causa</i></p> <p>(f) Voluntary dispositions purporting to operate as an immediate conveyance or gift <i>inter vivos</i>, which had not been <i>bona fide</i> made within three years before his death</p> <p>(g) Property which has been conveyed to or invested in himself and another person jointly, so that the beneficial interest accrues by survivorship to that other person</p> <p>(h) Property settled on another, by which he reserves to himself the right to reclaim such property</p> <p>(i) Property which he has within three years preceding his death transferred to or vested in a company</p> <p>(j) Property taken under any gift from him of which <i>bona fide</i> possession and enjoyment have not been immediately assumed and retained</p>
<p>(a) Estates under £200 in value pay no succession duty, and those under £300 no probate duty</p> <p>(b) Successions of less value than £20</p> <p>(c) Persons beneficially entitled to real property subject to leases for life</p> <p>(d) Property subject to a trust for any charitable or educational institution in Queensland</p>	Property derived by a widow, widower, descendant, or ancestor of the deceased, the net present value of which is under £500	<p>(a) Any legacy consisting of books, prints, pictures, statues, gems, coins, medals, specimens of natural history or other specific articles to any institution under control of the Government or of a board appointed or partly appointed by the Government</p> <p>(b) Any legacy whatsoever bequeathed to any University</p>	<p>(a) Estates where the total value after deducting all debts does not exceed £500</p> <p>(b) Money payable by a Friendly Society upon the death of a member or of the wife or child of a member</p> <p>(c) Any public charitable bequest, settlement or gift</p>

## CONSPECTUS OF PROBATE AND SUCCESSION

Particulars.	Commonwealth.	New South Wales.	Victoria.
5. Reduction of Duty to Relatives of the Deceased	The duty is assessed at two-thirds of the ordinary rate on so much of the estate as passes to the widow or children or grandchildren of the deceased	Where the final balance does not exceed £5,000, duty is calculated at half rates on property passing to the widow or any of the children under 21 years of age, but this does not apply where the deceased was not domiciled in New South Wales	(a) Where the amount due to the widow, child or grandchild from an estate or settlement does not exceed £2,000, the usual rate is reduced by one half (b) The rates for the aforesaid persons as regards estates are on a lower scale than those for other persons (c) On settlements there are three scales of duty (see § 10)
6. Returns	Every administrator must furnish a return of all the estate in Australia of the deceased person, giving the descriptions and values of the items comprising the estate before deducting any debts or other charges and distinguishing between secured and unsecured debts. If the administrator makes default in furnishing a return or the Commissioner is not satisfied therewith, or has reason to believe that any estate is dutiable, he may make an assessment on the amount on which, in his judgment, duty ought to be levied.	Applicant for probate or administration must lodge with his application an affidavit of value verifying an account containing particulars of the dutiable estate of the deceased and all allowances claimed. He must also furnish the Commissioner with such other evidence as may be required	Every executor and administrator must file with the Commissioner a statement specifying— (a) The real and personal property of which the estate consisted at the death of the deceased (b) All property chargeable with death duty (c) The value of the property in (a) and (b) (d) The debts and liabilities of the deceased (e) The relationship of the deceased to the persons entitled under the will or intestacy
7. Payment of Duty	Duty is due within 30 days after notice of assessment, but time may be extended up to two years and payment by instalments permitted. Duty is paid out of personal estate, but if there is not sufficient personal estate, the real estate may be mortgaged or permission obtained from the Court for the sale of the whole or a part thereof. If duty is not paid by final date, Court may allow Commissioner to sell sufficient of the estate to pay the duty	Duty is due on the assessment thereof by the Commissioner, or, if not so duly assessed within six months of death, on the expiration of six months thereafter. Duty is paid out of all real or personal property vested in the administrator who has the power of selling, leasing or mortgaging the same	The rules may prescribe the time and notice after which duty must be paid, and if the same is not paid within the time prescribed, the Commissioner may apply to the Court for an order to sell part of the estate for payment thereof. Unless the contrary is stated in the will, duty is payable out of the residue of the estate, but if there is no residue, the balance of duty may be deducted from each legacy or bequest
8. Objections and Appeals	An administrator may, within 30 days after service by post of the notice of assessment, lodge an objection with the Commissioner. An appeal against the Commissioner's decision to the High or Supreme Court is allowed within 30 days, but duty may be levied and recovered pending an appeal	Any person liable to the payment of duty and any administrator who is dissatisfied with the assessment of the Commissioner may, within 30 days after the date of assessment, require him to state a case for the opinion of the Supreme Court	An executor or administrator who is dissatisfied with a determination may within 21 days after such determination and upon payment of the duty appeal to the Supreme Court if the valuation is over £500 or to a County Court if such valuation does not exceed £500
9. Offences and Penalties	(a) Failing to furnish a return or refusing or neglecting to attend and give evidence when required, or knowingly making a false return or answer, not exceeding £100 (b) Understating the value of an estate with intent to defraud or wilfully evading assessment or duty, not exceeding £500 or imprisonment up to three years	(a) Refusing to permit inspection of books, etc., not exceeding £50 (b) Fraudulently misstating the amount of property or debts, imprisonment not exceeding three years, or fine not exceeding £100	Making a false statement with intent to evade the payment of duties or to lessen the amount thereof, guilty of misdemeanour and liable to imprisonment with or without hard labour for not less than one nor more than three years or to a fine not exceeding £500

DUTIES ACTS IN FORCE IN AUSTRALIA, 1921—*continued.*

Queensland.	South Australia.	Western Australia.	Tasmania.
<p>(a) Where the total value of the estate does not exceed £500, the wife or lineal issue pay no duty of any kind</p> <p>(b) Where the total value does not exceed £2,500 and the deceased was domiciled in the Commonwealth, the wife or lineal issue only pays half succession duty, and when it exceeds £2,500 but not £5,000, two-thirds</p>	Where the property, either under a succession or a settlement or a deed of gift is under £2,000, and is taken by the widow or child under 21 years of age, half duty only is payable	Beneficial interests passing to persons <i>bona fide</i> residents of and domiciled in Western Australia, and occupying towards the deceased the relationship of parent, issue, husband, wife, or issue of husband or wife, only pay half duty on estates, settlements and deeds of gift	Separate scales of rates of duty are specified according to the relationship of the successor to the deceased, those for the widow, widower, descendant or ancestor being on the lowest scale
The persons accountable for the payment of duty must give notice to the Commissioner of their liability, and deliver a full account of the property, of the value thereof, and of the deductions claimed, with the relationship of the successors to the deceased. If they wilfully neglect to do so, they are liable to pay 5 per cent. upon the amount of duty payable, and a like penalty for every month during which such neglect continues after the first month	The persons becoming beneficially interested or the trustee must file a statement with the Registrar shewing all such particulars as he requires to enable him to assess the duty	<p>(a) Every executor and administrator must furnish full particulars of—</p> <ul style="list-style-type: none"> <li>(i) the real and personal estate of the deceased; and</li> <li>(ii) the debts due by him; and</li> <li>(iii) the balance remaining after deducting debts; and</li> <li>(iv) any further information required by the Commissioner</li> </ul> <p>(b) The trustee of a settlement or deed of gift must file a statement setting forth—</p> <ul style="list-style-type: none"> <li>(i) the net present value thereof; and</li> <li>(ii) the net present value of any property given to an uncertain person or on an uncertain event; and</li> <li>(iii) any further information required by the Commissioner</li> </ul>	Same as Western Australia
The Commissioner assesses the duty, and if the same be not paid within 21 days after the duty has been finally ascertained, any person wilfully neglecting to do so is liable to pay a sum equal to 5 per cent. upon the amount of duty unpaid, and a like amount for every further month during which the duty is in arrears	Immediately after the Registrar has approved the statement and assesses the duty, the person filing such statement must pay the duty so assessed. Interest at the rate of 4 per cent. per annum is charged on all duty not paid within three months from the date on which it became payable	Duty is payable immediately after the Commissioner has made the assessment, but he may extend the time for payment. On application the Court may allow of the whole or part of the property being sold to pay the duty	Duty must be paid immediately after the Commissioner has made his assessment, but he may extend the time for payment up to one year or permit the payment in instalments. The executor or trustee may apply to the Supreme Court for an order that the whole or any part of a property subject to duty may be sold to pay the duty
An appeal against the assessment of the Commissioner may be made within 21 days after the date thereof to the Supreme Court of Queensland, unless the duty in dispute does not exceed £50 when such appeal may be made to the District Court	An appeal from any assessment or decision of the Registrar may be made within the prescribed time to the Supreme Court, but duty may be levied and recovered on the assessment as if no appeal were pending	Any person interested may appeal to the Supreme Court against any assessment or decision of the Commissioner otherwise his decision is final	Any executor, administrator or trustee who is dissatisfied with a determination or valuation of the Commissioner may appeal, within 21 days, to the Supreme Court
Failing or neglecting to furnish a return, or refusing or neglecting to give evidence when required or making an incorrect return, understating the value of an estate, making a false answer or omitting to set forth all the facts, not exceeding £100	Failing or neglecting to file or amend any statement, to pay any duty payable or to register any settlement or deed of gift, not exceeding £500	<p>(a) Making a false or fraudulent statement, with intent to evade duty, guilty of misdemeanour and liable to imprisonment up to three years and to a fine not exceeding £100</p> <p>(b) Failing to file a statement or to pay any duty or to register any statement or deed of gift, not exceeding £500</p>	<p>(a) Failing to file or amend any statement required, or to pay any duty payable, or to register any settlement or deed of gift, not exceeding £500</p> <p>(b) Knowingly and wilfully making a false oath or declaration, guilty of perjury</p>

## CONSPECTUS OF PROBATE AND SUCCESSION

Particulars.	Commonwealth.	New South Wales.	Victoria.																																																																																											
<b>10. Rates of Duty ..</b>	Where the value exceeds £1,000 but does not exceed £2,000, the rate is 1 per cent., and where it exceeds £2,000, 1 per cent. with an additional percentage of one-fifth of a pound for every £1,000 or part of £1,000 in excess of £2,000, but so that the maximum percentage must not exceed 15 per cent.	<p>(a) Ordinary Rate—</p> <table> <thead> <tr> <th>Value of Estate.</th> <th>Rate</th> </tr> </thead> <tbody> <tr> <td>Ex- Not exceeding—</td> <td>per cent.</td> </tr> <tr> <td>£1,000 .. £5,000</td> <td>2</td> </tr> <tr> <td>Increase of one-half per cent. for each £1,000 in excess up to—</td> <td></td> </tr> <tr> <td>£9,000 .. £10,000 .. 4½</td> <td></td> </tr> <tr> <td>Increase of one-half per cent. for each £2,000 in excess up to—</td> <td></td> </tr> <tr> <td>£18,000 .. £20,000 .. 7</td> <td></td> </tr> <tr> <td>Increase of one-half per cent. for each £5,000 in excess up to—</td> <td></td> </tr> <tr> <td>£135,000 .. £140,000 .. 19</td> <td></td> </tr> <tr> <td>£140,000 .. £150,000 .. 19½</td> <td></td> </tr> <tr> <td>£150,000 ..</td> <td>20</td> </tr> </tbody> </table> <p>(b) Property disposed of by the deceased in exercise of a special power of appointment, where he was not the donor of the power nor entitled to any beneficial interest, must be separately assessed, and where the value does not exceed £2,000, the duty is 2 per cent., and when over £2,000 as above</p> <p>(c) Estates derived by widow or children; (ii) Settlements derived by widow, widower, descendant, or ancestor</p> <table> <thead> <tr> <th>Value.</th> <th>Rate per cent.</th> </tr> </thead> <tbody> <tr> <td>Ex- Not exceeding—</td> <td></td> </tr> <tr> <td>£500 .. £1,000</td> <td>2</td> </tr> <tr> <td>£1,000 .. £2,000</td> <td>3</td> </tr> <tr> <td>£2,000 .. £3,000</td> <td>3½</td> </tr> <tr> <td>£3,000 .. £4,000</td> <td>3¾</td> </tr> <tr> <td>£4,000 .. £5,000</td> <td>4</td> </tr> <tr> <td>£5,000 .. £6,000</td> <td>4½</td> </tr> <tr> <td>£6,000 .. £7,000</td> <td>4¾</td> </tr> <tr> <td>£7,000 .. £8,000</td> <td>4½</td> </tr> <tr> <td>£8,000 .. £10,000</td> <td>5</td> </tr> <tr> <td>Increase of one-fifth per cent. for each £2,000 in excess up to—</td> <td></td> </tr> <tr> <td>£36,000 .. £40,000</td> <td>7</td> </tr> <tr> <td>Increase of one-fifth per cent added for each £4,000 in excess up to—</td> <td></td> </tr> <tr> <td>£76,000 .. £80,000</td> <td>9</td> </tr> <tr> <td>Increase of one-fifth per cent for each £5,000 in excess up to £100,000</td> <td>10</td> </tr> <tr> <td>Exceeding £100,000</td> <td>10</td> </tr> <tr> <td>(d) (i) Estates derived by other relations and strangers; (ii) settlements taken by other relations—</td> <td></td> </tr> <tr> <th>Value.</th> <th>Rate per cent.</th> </tr> <tr> <td>Ex- Not exceeding—</td> <td></td> </tr> <tr> <td>£200 .. £300</td> <td>1½</td> </tr> <tr> <td>£300 .. £400</td> <td>2</td> </tr> <tr> <td>£400 .. £500</td> <td>2½</td> </tr> <tr> <td>£500 .. £600</td> <td>3</td> </tr> <tr> <td>£600 .. £800</td> <td>3½</td> </tr> <tr> <td>£800 .. £1,000</td> <td>3¾</td> </tr> <tr> <td>£1,000 .. £1,500</td> <td>4</td> </tr> <tr> <td>Increase of one-quarter per cent. for each £500 in excess up to—</td> <td></td> </tr> <tr> <td>£4,500 .. £5,000</td> <td>5½</td> </tr> <tr> <td>£5,000 .. £8,000</td> <td>6</td> </tr> <tr> <td>Increase of one-fifth per cent. for each £1,000 in excess up to—</td> <td></td> </tr> <tr> <td>£18,000 .. £19,000 ..</td> <td>9</td> </tr> <tr> <td>£19,000 .. £20,000 ..</td> <td>9½</td> </tr> <tr> <td>Exceeding £20,000 ..</td> <td>10</td> </tr> <tr> <td>(e) Settlements taken by a stranger in blood, 10 per cent.</td> <td></td> </tr> </tbody> </table>	Value of Estate.	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DUTIES ACTS IN FORCE IN AUSTRALIA, 1921—*continued.*

Queensland.	South Australia.	Western Australia.	Tasmania.
<b>(a) Ordinary succession</b>			
Value of Estate.	Rate per cent.	Value of Estate or Settlement.	Rate per cent.
Exceeding—	Not Exceeding—	Exceeding—	Exceeding—
£199 .. £1,000 .. £2,500 .. £2,500 .. £4,000 .. £5,000 ..	2 3 3 3 3 3	£500 .. £1,000 .. £2,500 .. £4,500 .. £6,000 .. £7,000 .. £8,000 .. £9,000 .. £10,000 ..	1 2 3 4 5 6 6 2/5 6 3/5 6 4/5 7 1/5 7 2/5 7 3/5 7 4/5 8 1/5 8 2/5 8 3/5 8 4/5 9 1/2
Increase of one-third per cent. for each £1,000 in excess up to—	£9,000 .. £10,000 ..	£10,000 .. £11,000 .. £12,000 .. £13,000 .. £14,000 .. £15,000 .. £16,000 .. £17,000 .. £18,000 .. £19,000 .. £20,000 ..	5 1/2 6 1/2 7 1/2 7 2/5 7 3/5 7 4/5 8 1/5 8 2/5 8 3/5 8 4/5 9 1/2
Increase of one-third per cent. for each £2,500 in excess up to—	£27,500 .. £30,000 ..	£11,000 .. £12,000 .. £13,000 .. £14,000 .. £15,000 .. £16,000 .. £17,000 .. £18,000 .. £19,000 .. £20,000 ..	4 1/4 4 1/2 4 1/2 4 3/4 5 1/5 5 2/5 5 2/5 5 3/5 5 4/5 6 1/5
Increase of one-third per cent. for each £5,000 in excess up to a maximum of 15 per cent.	£30,000 .. £35,000 .. £40,000 .. £45,000 .. £50,000 .. £55,000 .. £60,000 .. £65,000 .. £70,000 .. £75,000 .. £80,000 .. £85,000 .. £90,000 .. £95,000 .. £100,000 .. £110,000 .. £120,000 .. £130,000 .. £140,000 .. £150,000 .. £160,000 .. £170,000 .. £180,000 .. £190,000 .. £200,000 ..	£12,000 .. £13,000 .. £14,000 .. £15,000 .. £16,000 .. £17,000 .. £18,000 .. £19,000 .. £20,000 ..	4 1/2 4 3/4 5 1/5 5 2/5 5 3/5 5 4/5 6 1/5 6 2/5 6 3/5 6 4/5
(b) Where the successor is not a stranger in blood and is not the husband, wife, or lineal issue, the above rate is increased by one-half, but not beyond a maximum of 15 per cent.		£10,000 .. £11,000 .. £12,000 .. £13,000 .. £14,000 .. £15,000 .. £16,000 .. £17,000 .. £18,000 .. £19,000 .. £20,000 ..	5 1/5 5 2/5 5 3/5 5 4/5 6 1/5 6 2/5 6 3/5 6 4/5
(c) Where the successor is a stranger in blood, the above rate is doubled, but not beyond a maximum of 20 per cent.		£11,000 .. £12,000 .. £13,000 .. £14,000 .. £15,000 .. £16,000 .. £17,000 .. £18,000 .. £19,000 .. £20,000 ..	10 10 10 10 10 10 10 10 10 10
(d) Succession duties on shares or interest in companies—	Value.	Rate per cent.	
Exceeding—			
£500 .. £1,000 .. £2,000 .. £3,000 .. £5,000 .. £7,500 .. £10,000 .. £15,000 ..	2 3 4 5 6 7 8 9	Under Estates. Settlements, &c.	
Increase of 1 per cent. for each £5,000 in excess up to 15 per cent.	£25,000 .. £30,000 .. £35,000 .. £40,000 .. £45,000 .. £50,000 .. and up.	£200 .. £300 .. £400 .. £700 .. £1,000 .. £2,000 .. £3,000 .. £4,000 .. £6,000 .. £8,000 .. £10,000 .. £15,000 .. £25,000 .. £50,000 ..	1 1 1 3 4 5 5 6 6 7 8 9 10 11 12 12 14 14
(e) Probate Duty.—Where the value exceeds £300, the rate is £1 for every £100 or part thereof		upwards ..	17 1/2 17 1/2
<b>(c) Property derived by the widow, widower, descendant, or ancestor.</b>			
<b>(a) Property derived by the widow, widower, descendant, ancestor or illegitimate child :—</b>			
Value of Estate.	Rate per cent.	Value of Estate.	Rate per cent.
Exceeding—	Not Exceeding—	Exceeding—	Exceeding—
£500 .. £1,000 .. £2,000 .. £3,000 .. £5,000 .. £7,000 .. £10,000 .. £12,000 .. £14,000 .. £16,000 .. £18,000 .. £20,000 .. £22,000 .. £24,000 .. £26,000 .. £28,000 .. £30,000 .. £32,000 .. £34,000 ..	2 2 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	£1,000 .. £2,000 .. £3,000 .. £4,000 .. £5,000 .. £6,000 .. £7,000 .. £8,000 .. £9,000 .. £10,000 .. £11,000 .. £12,000 .. £13,000 .. £14,000 .. £15,000 .. £16,000 .. £17,000 .. £18,000 .. £19,000 .. £20,000 ..	2 1/2 2 5/6 3 1/6 3 1/2 4 3/4 5 1/5 5 2/5 5 3/5 5 4/5 6 1/5 6 2/5 6 3/5 6 4/5
Increase of one-fifth per cent. for each £4,000 in excess up to £92,000 and upwards, 10 per cent.			
(b) Property derived by a brother or sister or descendant of a brother or sister, or by a person in any other degree of collateral consanguinity—	Value.	Rate per cent.	
Exceeding—			
£500 .. £1,000 .. £2,000 .. £3,000 .. £5,000 .. £7,500 .. £10,000 .. £15,000 ..	2 3 4 5 6 7 8 9	Under Estates. Settlements, &c.	
Increase of one-fifth per cent. for each £4,000 in excess up to £92,000 and upwards, 10 per cent.	£20,000 .. and up.	£200 .. £300 .. £400 .. £700 .. £1,000 .. £2,000 .. £3,000 .. £4,000 .. £6,000 .. £8,000 .. £10,000 .. £15,000 .. £25,000 .. £50,000 ..	1 1 1 3 4 5 5 6 6 7 8 9 10 11 12 12 14 14
(c) Property, whether estates or settlements, derived by a stranger in blood—	Value.	Rate per cent.	
Under £10,000	10		
£10,000 under			
£20,000 ..	15		
£20,000 and up.	20		